

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 16-CR-177

TRAVIS M. KAMPS,

Defendant.

ORDER GRANTING MOTION FOR COMPASSIONATE RELEASE

On April 21, 2017 the defendant, Travis M. Kamps, was sentenced to 60 months of imprisonment, to be followed by 5 years of supervised release, for receipt of child pornography in violation of Title 18 U.S.C. § 2252A(a)(2). The defendant is currently serving his sentence at Elkton Federal Correctional Institution (Elkton FCI), a minimum-security facility in Elkton, Ohio. Elkton has been identified as the Bureau of Prison (BOP) facility with the highest number of prison fatalities. In addition, numerous members of Elkton FCI staff and inmates have been diagnosed as having the COVID-19 virus. Currently before the court is defendant's motion seeking compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A). That section authorizes the court to reduce a defendant's sentence when "extraordinary and compelling reasons warrant such a reduction."

The defendant suffers from a number of serious health conditions, including hypertension, obesity, and kidney disease—specifically Alport Syndrome. These conditions make him more vulnerable to the effects of COVID-19 and raise the risk of death in a confined prison setting. Although the defendant has not completed exhaustion of his administrative remedies, the unusual circumstances of this case warrant granting of this motion.

The BOP has identified the defendant as “medically vulnerable” pursuant to an evaluation ordered by the District Court in the Northern District of Ohio. That court ordered Kamps and other similarly situated prisoners to be transferred to another BOP facility, released to home confinement, or released pursuant to any other method available to the warden. *Wilson v. Williams*, No. 4:20-cv-00794, 2020 WL 1940882 (N.D. Ohio, April 22, 2020). Although the BOP has yet to comply with that court’s order, both the Government and Probation recommend this court grant defendant’s motion.

In part, the position of the Government and Probation is based on the fact that the defendant has already served at least 70 percent, or up to 90 percent, of his confinement time. Defendant has proposed that, if released, he will reside with his parents in Seymour, Wisconsin. It appears Kamps has no violations within the institution and he has paid his special assessment. Although he is not currently on dialysis, he has a rare genetic disease of progressive kidney failure for which he is being treated. Probation indicates that the defendant’s mother states no one in their home has tested positive for COVID-19, nor are they symptomatic. (Dkt. 25.) The family is willing to have defendant quarantined in their home and they have adequate space for him to live. Finally, the court notes that the defendant has, other than this offense, no prior criminal history.

Based upon the forgoing, and in the absence of any objection by the Government or Probation, the court finds that (1) the high number of infections at Elkton; (2) the defendant’s significant chronic medical condition that makes him more susceptible to infection and death; (3) the relatively short time remaining on his sentence; and (4) a history that suggests the defendant is not a danger to the public, if properly supervised, constitute the extraordinary and compelling reasons that warrant reduction of the defendant’s sentence of confinement to “time served,” including whatever additional time is necessary to make arrangements for his release and transfer to his parents’ home in Seymour, Wisconsin. The court has considered the fact that under the

current court order entered in the case pending in the Northern District of Ohio, the BOP has been ordered to takes steps to reduce the risk the defendant currently faces at Elkton. Because of the number of vulnerable inmates in the BOP's custody, however, the court is satisfied that the relief available under § 3582(c)(1)(A) is more appropriate. Defendant is instructed that, within 72 hours of his release, he is to contact the U.S. Probation Green Bay office at (920) 884-7782 and to comply with all conditions of supervision.

SO ORDERED this 12th day of May, 2020.

s/ William C. Griesbach
William C. Griesbach, District Judge
United States District Court